

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
ALEXANDRIA DIVISION**

**KARL E. THIBODEAUX**

**CIVIL ACTION NO. 1:20-cv-01630**

**VERSUS**

**JUDGE DAVID C. JOSEPH**

**MARKUS MYERS, ET AL**

**MAGISTRATE JUDGE PEREZ-  
MONTES**

**JUDGMENT**

For the reasons stated in the REPORT AND RECOMMENDATION [Doc. 100] of the Magistrate Judge previously filed herein, and after a *de novo* review of the record, including the OBJECTION TO REPORT AND RECOMMENDATION [Doc. 103], filed by Plaintiff and having determined that the Magistrate Judge's findings and recommendations are correct under the applicable law;

IT IS HEREBY ORDERED that the FIRST MOTION TO DISMISS FOR LACK OF JURISDICTION [Doc. 51] filed by Defendant, James LeBlanc under Rule 12(b)(1) is GRANTED, and Plaintiff's official capacity claims against Defendant, James LeBlanc for monetary damages are DISMISSED WITH PREJUDICE.

IT IS FURTHER ORDERED that the MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM [Doc. 51], filed by Defendant, James LeBlanc under Rule 12(b)(6) is GRANTED, and Plaintiff's individual capacity claims against James LeBlanc are DISMISSED WITHOUT PREJUDICE.

THUS, DONE AND SIGNED in Chambers, this 20th day of April, 2022.

A handwritten signature in blue ink, reading "David C. Joseph", is written over a horizontal line.

DAVID C. JOSEPH  
UNITED STATES DISTRICT JUDGE